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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 3155 OF 2019

Shakila Sabuddin Shaikh and 11 Ors. ...Petitioners
vs
The State of Maharashtra & Ors. ...Respondents.

.....
Mr. D.S.Sakhalkar and Mr. Suresh Patil for the Petitioners
Mr. Hemant Haryan, AGP for Respondent Nos.1 to 3.
Ms. Dhruti Kapadia and Ms. Vandana Mahadik for the Respondent / M.C.G.M.
Mr. P.G.Lad a/w Ms. Priyanka Naik and Sayli Apte for the Respondent/ MHADA.
Ms. Abhijit Desai and Ms. Bhavika Thakkar i/b Desai Legal for Respondent / SRA.
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**CORAM : S. J. KATHAWALLA &
B. P. COLABAWALLA, JJ.
DATED 18 DECEMBER, 2019.**

P.C.:

Heard the learned Advocates for the parties and the following order is
passed :

- (i) The Petitioners shall make an application to the Municipal Corporation to decide their eligibility and the same will be decided by the Assistant Municipal Commissioner, H (W) Ward, Municipal Corporation Greater Mumbai.
- (ii) The Petitioners shall be at liberty to produce all the documents in their possession to show that their structure was on the municipal land. Even if the Petitioners are unable to do so, the Assistant Municipal Commissioner shall look in to the records and decide whether the structure of the Petitioners were on the

municipal land and thereafter decide their eligibility.

(iii) If joint measurement is required to be done by the Municipal Corporation as well as MHADA, the same shall be carried out at the earliest.

(iv) If the Assistant Municipal Commissioner, H (W) Ward, MCGM, holds that the Petitioners are not eligible, the Petitioners may file appropriate proceedings seeking redressal of their grievances.

(v) The Writ Petition is disposed of.

(B. P. COLABAWALLA, J.)

(S. J. KATHAWALLA, J.)